

Appln No. 10/773,203  
Amdt. Dated July 6, 2006  
Response to Office Action of April 11, 2006

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### **REMARKS/ARGUMENTS**

Applicant thanks Examiner for the detailed Office Action dated April 11, 2006. In response to the issues raised, the Applicant offers the following submissions and amendments. Furthermore, we enclose a Terminal Disclaimer linking the term and ownership of any patent granted on the present application to that of co-pending USSN 10/773,197.

### **Amendments**

The Abstract has been amended to avoid the use of legal terminology.

Claims 1, 19 and 38 have been amended to clarify the features distinguishing the present invention from the cited references.

Accordingly, the amendments do not add any new matter.

### **Abstract**

As discussed above, we believe that the amended Abstract provides a clear and concise description of the disclosure in compliance with 37 CFR 1.72.

### **Non-Statutory Double Patenting**

We trust the enclosed Terminal Disclaimer addresses this issue.

### **35 USC §102 – Claims 1, 5, 6, 8, 13, 19, 24, 25, 27 and 32**

Claims 1 and 19, *inter alia*, stand rejected for lack of novelty in light of US 5,841,452 to Silverbrook. The Applicant disagrees.

Independent claims 1 and 19 define the axis of the inlet and the axis of the nozzle to be parallel and laterally offset from one another. Furthermore, the bubble is defined to nucleate at a point that is laterally offset from the inlet to the chamber. Offsetting the inlet and nozzle axes gives an angled ink flow path. Nucleating the bubble at a point laterally offset from the inlet means that the pressure pulse radiating outwardly from the nucleation point does not propagate back along the inlet without at least one change of direction.

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The '452 reference fails to teach either of these features. The nozzle axis and the inlet axis are clearly not offset, and the bubble nucleation point is clearly within the lateral extent of the chamber inlet. Accordingly, the citation fails to anticipate claims 1 and 19 or any of dependent claims 5, 6, 8, 13, 19, 24, 25, 27 and 32.

**35 USC §103 – Claims 1, 5, 6, 8, 13, 19, 24, 25, 27 and 32**

Claims 2 – 4, 7, 9 – 12, 14-18, 20 – 23, 26, 28 – 31, and 33 - 54 stand rejected as obvious in light of '452 to Silverbrook in combination with US 4,894,664 to Pan, US 5,706,041 to Kubby, US 5,856,836 to Silverbrook, US 5,710,070 to Chan, US 6,543,879 to Feinn et al, US 6,447,104 to Keil et al, US 5,841,452 to Silverbrook et al, US 4,797,692 to Kashino et al, US 4,965,584 to Komuro, or US 4,931,813 to Pan et al. Similarly, claim 38 stands rejected as obvious in light of '452 to Silverbrook in view of US 4,549,191 to Fukuchi et al. Dependent claims 39 to 54 stand rejected as obvious in light of '452 to Silverbrook in view of Fukuchi in further view of the references listed above.

As discussed above, '452 to Silverbrook fails to anticipate all the elements of amended claims 1 and 19. Likewise '452 to Silverbrook and Fukuchi fail to disclose all the elements of independent claim 38. Furthermore, none of the cited references teach or suggest laterally offsetting the nozzle axis from the inlet axis, or offsetting the bubble nucleation point from the chamber inlet.

It follows that the citations fail to support a §103 rejection of the above claims.

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**Conclusion**

It is respectfully submitted that the Examiner's objections and rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

Applicant:



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**Amendments to the Abstract:**

**The Abstract is to be amended as attached.**